

**Rep. Cathy McMorris Rodgers Opening Statement
Environment Hearing – Recycling and Plastics
June 30, 2022 @ 11:30 a.m. EST**

As Prepared For Delivery

Thank you, Mr. Chairman. First, I want to address the Supreme Court decision today that confirmed EPA has been acting outside its statutory authority when issuing overreaching rules on the nation's power sector.

This decision is a victory for Article 1 and representative government. It's Congress's clear constitutional authority to make the law-- not unelected bureaucrats in the executive branch who abused their power by issuing regulations that place harsh burdens on our economy and people's livelihoods.

We are facing inflation and energy crises, with gas prices at all-time highs and trips to the grocery store busting the budgets of American families. Like for example, Andy Juris, from the Washington Association of Wheat Growers. He's a fourth-generation wheat farmer, who told us in a recent forum that rising gas, diesel, and natural gas prices are crippling farmers from their equipment to fertilizer. Instead of working with Republicans to flip the switch on American energy production, lower the costs of food and consumer goods, and help farmers like Andy, the Democrats are again turning to their radical climate agenda.

The two Democrat-only bills today seek to ban new plastics manufacturing and certain single-use plastic products. These will cost American jobs, worsen the supply chain crisis, and hurt economic development across the country. And, importantly, these plastics bans will deprive us of life-saving technologies, like PPE, syringes, vaccine production equipment, medical gowns, and insulated packaging for transporting vaccines.

These plastics-based products have been critical in responding to the pandemic. Plastics are also essential to clean energy and emissions-reducing technologies, like insulation for homes, light-weighting vehicles, wind turbines, and solar panels. Innovation has given us so much with these plastic-based technologies that make our lives better. The CLEAN Future Act and the Break Free from Plastics Pollution Act are divorced from reality and will take us back to the dark ages.

We've seen this playbook from the Democrats before, with their campaign for blanket bans on new and innovative chemicals that are essential to manufacturing critical goods. Whether promoting recycling or discouraging waste, legislation should not be an opportunity to de-industrialize the United States. These bills also ignore that America has some of the highest environmental standards for manufacturing in the world – we do it cleaner and more efficiently here while also leading the world in reducing emissions.

The other two bills today – H.R. 8059 and H.R. 8183 – address more traditional recycling and composting policy approaches. Conserving our resources makes good sense, especially if based on innovation and free-market investments in infrastructure. H.R. 8183, the Recycling Infrastructure and Accessibility Act, from Ranking Member McKinley, prioritizes rural areas for a new EPA pilot program for infrastructure grants.

Rural areas are often short-changed so this rightly focuses on their infrastructure needs to enhance recycling. I would like to better understand whether a new program and additional dollars are needed here, particularly with the \$375 million in taxpayer dollars just funded by the bipartisan infrastructure law for recycling grants.

The other bipartisan bill – H.R. 8059, the Recycling and Composting Accountability Act – seeks more data on recycling and composting in the U.S., and, of concern, increases the federal government's influence in both.

I do have big concerns when the Federal government goes from supplying seed money and technical aid to a position of *regulating or directing curbside collection or residential recycling of solid waste*.

Under the Solid Waste Disposal Act, the Federal government regulates hazardous waste handling and disposal and sets all landfill standards. Authority to deal with solid waste under this law, including decisions about curbside recycling, resides though with municipal and state governments. Supreme Court precedent also supports that household trash and recycling collection responsibilities are “police powers” -- and they are “reserved” to States, local communities, and private citizens under the Tenth Amendment.

Of concern, the bills today increase the Federal government's role in recycling and composting. While Federal control of recycling efforts does not seem appropriate, we should understand the practical picture for recycling, especially as our country tries to move on from past dependence on China for our recycling markets.

For a second week in a row, the Majority is conducting a legislative hearing without having the Administration appear to provide testimony on the noticed bills and giving members an opportunity to question them. Regular order demands, and I hope that we have, EPA testify before us about these bills if they move to a markup.

We will learn something today, but we should not assume facts and conclusions. This process shortcut does not provide the needed context and distorts our policy evaluation of bills, including any overlap with existing laws. With that, I welcome our witnesses and look forward to your testimony. I yield back, Mr. Chairman.